

REMARKS

Summary Of Office Action

Claims 1-19 are pending in this application.

Claims 1-19 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Lupien et al. U.S. Patent 6,012,046 (hereinafter "Lupien") in view of Garman U.S. Patent 5,819,237 (hereinafter "Garman").

Reply To Office Action

The Examiner's rejections and objections are respectfully traversed.

In the Examiner's Response to Arguments in the August 11, 2005 Office Action, the Examiner alleges that the combination of Lupien and Garman shows or suggests each feature of independent claims 1 and 19 including "setting a market price based on the received first and second orders." However, applicants respectfully submit that Lupien and Garman, either alone or in combination, do not show or suggest setting a market price.

In alleging that the prior art shows or suggests "setting a market price," the Examiner points to column 7, lines 15-53 of Lupien. However, as explained in detail in applicants' April 27, 2005 Reply to Office Action,

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Lupien is directed towards describing how a user sets up a satisfaction density profile (e.g., setting the type of transaction, time-in-force, profile dimensions). One aspect of the satisfaction density profiles is the monetary value at which a trade for an asset is to be executed. The profile reflects the desirability (from 0 to 1) of trading specific volumes of assets at specific market prices on an exchange.

However, there is no showing or suggestion in Lupien of setting a market price based on a received first bid and a second order. Rather, Lupien takes into account *current market prices* and matches buy and sell orders based on satisfaction density profiles received from users. The current market price is used in the determination to match satisfaction density profiles. Applicants respectfully submit that this is not the same as *setting a market price based on the buy and sell orders*.

Accordingly, for at least the reason that Lupien does not show or suggest "setting a market price based on ... received first order and second orders" (claim 1; see similar features in claims 10 and 19), applicants respectfully submit that claims 1, 10, and 19 are in condition for allowance.

Conclusion

In view of the foregoing, independent claims 1, 10, and 19 are in condition for allowance. Dependent claims 2-9

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and 11-18, which respectively depend from claims 1 and 10, are therefore also in condition for allowance. This application is accordingly in condition for allowance. Reconsideration and prompt allowance of this application are respectfully requested.

Respectfully submitted,



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